

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
EASTERN DIVISION

FRANK FOSTER, et al.

Plaintiffs,

Case No. 2:08-cv-20

vs.

Judge Edmund A Sargus

NATIONWIDE MUTUAL INSRUANCE  
COMPANY,

Magistrate Judge Elizabeth Preston Deavers

Defendant.

NOTICE TO COUNSEL  
AS TO BILL OF COSTS

A Bill of Costs was filed by Defendant Nationwide Mutual Insurance Company [#204] on February 17, 2012 in this case.

The Guidelines for Attorneys, and Local Rule 54.1(a) require that the Bill of Costs “be served within fourteen (14) days *after the date such judgment becomes final*, which ordinarily is the date on which any timely appeal should have been noticed, if one is not taken, or is *the date on which the judgment is final after all appeals.*” (emphasis added)

In this case an appeal was filed on January 24, 2012 and therefore the Bill of Costs is premature. The Bill of Costs will be held in abeyance until the Mandate is returned on appeal and the Bill of Costs is **re-filed** by Defendant.

JAMES BONINI, CLERK OF COURT

s/Debra D. Overly

Debra D. Overly, Division Manager  
Clerk’s Office – U.S. District Court  
Southern District of Ohio – Eastern Division